

**Measure:** HB2715

**Author:** Representative John Auffet

**Subject:** Fees

**Provisions:**

Section 1: Amends statute to read: Any person who shall be convicted in the municipal criminal court of record of a violation of any ordinance of the city and sentenced to pay a fine and costs, who is financially able but refuses or neglects to pay such fine and costs, shall be imprisoned in the jail, farm or workhouse of the city, in the discretion of the court, for one (1) day for each ~~Five Dollars (\$5.00)~~ Twenty-five Dollars (\$25.00) of the fine and cost assessed, if he performs useful labor.

Section 2: Amends statute to read: The fees provided for the clerk of the district court and the sheriff, as provided in this act, and all costs in the prosecution of all criminal actions shall, in case of conviction of the defendant, be adjudged a part of the penalty of the offense of which the defendant may be convicted, whether the punishment for such offense be either imprisonment, or fine, or both, and fixed either by the verdict of the jury, or judgment of the court, trying the case, and if the defendant shall refuse to pay the fine, fees or costs, the payment of such fees and costs, in addition to the payment of the fine assessed, shall be enforced by imprisonment until the same shall be satisfied at a rate of ~~Five Dollars (\$5.00)~~ Twenty-five Dollars (\$25.00) per day of such fees and costs, or fine, or both, whether the defendant shall perform labor on the public road or highway, or remain in prison. If the defendant is without means to pay the fine, fees or costs, the total amount owed shall be entered upon the judgment docket and thereupon the same remedies shall be available for the enforcement of said judgment as are available to any other judgment creditor.

Section 3: Effective date of November 1, 2008

**Prepared by:** Dante Giancola, Deputy Director

**Date:** February 7, 2008